

L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2905 was renumbered section 5106 of this title.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 543 of this title as this section.

§ 2906. Dependent school children

(a) The Secretary may provide, out of funds appropriated to or for the use of the Coast Guard, for the primary and secondary schooling of dependents of Coast Guard personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of those dependents.

(b) Whenever the Secretary, under such regulations as he may prescribe, determines that schools located in the same area in which a Coast Guard facility is located are not accessible by public means of transportation on a regular basis, he may provide, out of funds appropriated to or for the use of the Coast Guard, for the transportation of dependents of Coast Guard personnel between the schools serving the area and the Coast Guard facility.

(Added Pub. L. 91-278, §1(14), June 12, 1970, 84 Stat. 306, §657; amended Pub. L. 93-430, §5, Oct. 1, 1974, 88 Stat. 1182; renumbered §544 and amended Pub. L. 113-281, title II, §214(b)(1)(C), Dec. 18, 2014, 128 Stat. 3033; renumbered §2906, Pub. L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2906 was renumbered section 5107 of this title.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 544 of this title as this section.

2014—Pub. L. 113-281 renumbered section 657 of this title as this section and, in subsec. (a), substituted “The Secretary may” for “Except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), the Secretary may”.

1974—Pub. L. 93-430 struck out “; transportation of” after “children” in section catchline, designated existing provisions as subsec. (b), and added subsec. (a).

SUBCHAPTER II—COAST GUARD CHILD CARE

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §117(c)(2), Dec. 4, 2018, 132 Stat. 4231, inserted subchapter II designation and heading.

§ 2921. Definitions

In this subchapter, the following definitions apply:

(1) CHILD ABUSE AND NEGLECT.—The term “child abuse and neglect” has the meaning given that term in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note).

(2) CHILD DEVELOPMENT CENTER EMPLOYEE.—The term “child development center employee” means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center without regard to whether the employee is paid from appropriated or nonappropriated funds.

(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term “Coast Guard child development center” means a facility on Coast Guard property or on property under the jurisdiction of the commander of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

(4) COMPETITIVE SERVICE POSITION.—The term “competitive service position” means a position in the competitive service (as defined in section 2102 of title 5).

(5) FAMILY HOME DAYCARE.—The term “family home daycare” means home-based child care services provided for a member of the Coast Guard by an individual who—

(A) is certified by the Commandant as qualified to provide home-based child care services; and

(B) provides home-based child care services on a regular basis in exchange for monetary compensation.

(Added Pub. L. 113-281, title II, §214(a), Dec. 18, 2014, 128 Stat. 3031, §551; renumbered §2921, Pub. L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230.)

Editorial Notes

REFERENCES IN TEXT

Section 3 of the Child Abuse Prevention and Treatment Act, referred to in par. (1), is section 3 of Pub. L. 93-247, which is set out as a note under section 5101 of Title 42, The Public Health and Welfare.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 551 of this title as this section.

§ 2922. Child development services

(a) The Commandant may make child development services available for members and civilian employees of the Coast Guard, and thereafter as space is available for members of the Armed Forces and Federal civilian employees. Child development service benefits provided under the authority of this section shall be in addition to benefits provided under other laws.

(b)(1) The Commandant is authorized to use appropriated funds available to the Coast Guard to provide child development services.

(2)(A) The Commandant is authorized to establish, by regulations, fees to be charged parents for the attendance of children at Coast Guard child development centers.

(B) Fees to be charged, pursuant to subparagraph (A), shall be based on family income and whether a family is participating in an initiative established under section 2925(b), except that the Commandant may, on a case-by-base

basis, establish fees at lower rates if such rates would not be competitive with rates at local child development centers.

(C) The Commandant is authorized to collect and expend fees, established pursuant to this subparagraph, and such fees shall, without further appropriation, remain available until expended for the purpose of providing services, including the compensation of employees and the purchase of consumable and disposable items, at Coast Guard child development centers.

(3) The Commandant is authorized to use appropriated funds available to the Coast Guard to provide assistance to family home daycare providers so that family home daycare services can be provided to uniformed service members and civilian employees of the Coast Guard at a cost comparable to the cost of services provided by Coast Guard child development centers.

(4) To the maximum extent practicable, the Commandant shall ensure that, in a location in which Coast Guard family child care centers (as such term is defined in section 8239 of the Elijah E. Cummings Coast Guard Authorization Act of 2020) are necessary to meet the demand for child care for qualified families (as such term is defined in such section), not fewer than two housing units are maintained in accordance with safety inspection standards so as to accommodate family child care providers.

(c) The Secretary shall promulgate regulations to implement this section. The regulations shall establish fees to be charged for child development services provided under this section which take into consideration total family income.

(Added Pub. L. 104-324, title II, §201(a), Oct. 19, 1996, 110 Stat. 3906, §515; amended Pub. L. 111-281, title II, §222, Oct. 15, 2010, 124 Stat. 2920; renumbered §552 and amended Pub. L. 113-281, title II, §214(b)(1)(B), Dec. 18, 2014, 128 Stat. 3033; renumbered §2922 and amended Pub. L. 115-282, title I, §§117(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4230, 4240; Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8235, Jan. 1, 2021, 134 Stat. 4664.)

Editorial Notes

REFERENCES IN TEXT

Section 8239 of the Elijah E. Cummings Coast Guard Authorization Act of 2020, referred to in subsec. (b)(4), is section 8239 of title LVXXXII [LXXXII] of div. G of Pub. L. 116-283, Jan. 1, 2021, 134 Stat. 4665, which is set out as a note below.

AMENDMENTS

2021—Subsec. (b)(4). Pub. L. 116-283 added par. (4).

2018—Pub. L. 115-282, §117(b), renumbered section 552 of this title as this section.

Subsec. (b)(2)(B). Pub. L. 115-282, §123(b)(2), substituted “section 2925(b)” for “section 555(b)”.

2014—Pub. L. 113-281, §214(b)(1)(B)(i), renumbered section 515 of this title as this section.

Subsec. (b)(2)(B). Pub. L. 113-281, §214(b)(1)(B)(ii)(I), inserted “and whether a family is participating in an initiative established under section 555(b)” after “family income”.

Subsecs. (c), (d). Pub. L. 113-281, §214(b)(1)(B)(ii)(II), (III), redesignated subsec. (d) as (c) and struck out former subsec. (c) which read as follows: “The Commandant shall provide for regular and unannounced inspections of each child development center under this section and may use Department of Defense or other

training programs to ensure that all child development center employees under this section meet minimum standards of training with respect to early childhood development, activities and disciplinary techniques appropriate to children of different ages, child abuse prevention and detection, and appropriate emergency medical procedures.”

Subsec. (e). Pub. L. 113-281, §214(b)(1)(B)(ii)(II), struck out subsec. (e) which read as follows: “For purposes of this section, the term ‘child development center’ does not include a child care services facility for which space is allotted under section 616 of the Act of December 22, 1987 (40 U.S.C. 490b).”

2010—Subsec. (b). Pub. L. 111-281, §222(1), added subsec. (b) and struck out former subsec. (b) which related to use of fees paid for services at Coast Guard child development centers.

Subsecs. (d) to (g). Pub. L. 111-281, §222(2), (3), redesignated subsecs. (f) and (g) as (d) and (e), respectively, and struck out former subsecs. (d) and (e) which read as follows:

“(d) Of the amounts available to the Coast Guard each fiscal year for operating expenses (and in addition to amounts received as fees), the Secretary may use for child development services under this section an amount not to exceed the total amount the Commandant estimates will be received by the Coast Guard in the fiscal year as fees for the provision of those services.

“(e) The Commandant may use appropriated funds available to the Coast Guard to provide assistance to family home day care providers so that family home day care services can be provided to uniformed service members and civilian employees of the Coast Guard at a cost comparable to the cost of services provided by Coast Guard child development centers.”

Statutory Notes and Related Subsidiaries

REVIEW OF FAMILY SUPPORT SERVICES WEBSITE AND ONLINE TRACKING SYSTEM

Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8232, Jan. 1, 2021, 134 Stat. 4661, provided that:

“(a) MEMORANDUM OF UNDERSTANDING.—

“(1) IN GENERAL.—The Commandant [of the Coast Guard] shall enter into a memorandum of understanding with the Secretary of Defense to enable qualified families to access the website at <https://militarychildcare.com> (or a successor website) for purposes of Coast Guard family access to information with respect to State-accredited child development centers and other child care support services as such services become available from the Department of Defense through such website. The memorandum shall provide for the expansion of the geographical areas covered by such website, including regions in which qualified families live that are not yet covered by the program.

“(2) INCLUSION OF CHILD DEVELOPMENT CENTERS ACCESSIBLE UNDER PILOT PROGRAM.—The information accessible pursuant to the memorandum of understanding required by paragraph (1) shall include information with respect to any child development center accessible pursuant to the pilot program under section 8234 [of Pub. L. 116-283, set out as a note below].

“(3) ELECTRONIC REGISTRATION, PAYMENT, AND TRACKING SYSTEM.—Not later than 1 year after the date of the enactment of this Act [Jan. 1, 2021], the Commandant shall develop and maintain an internet website of the Coast Guard accessible to qualified families to carry out the following activities:

“(A) Register children for a Coast Guard child development center.

“(B) Make online child care payments to a Coast Guard child development center.

“(C) Track the status of a child on the wait list of a Coast Guard child development center, including the placement and position of the child on the wait list.

“(b) WAIT LIST.—

“(1) IN GENERAL.—The Commandant shall maintain a record of the wait list for each Coast Guard child development center.

“(2) MATTERS TO BE INCLUDED.—Each record under paragraph (1) shall include the following:

“(A) The total number of children of qualified families on the wait list.

“(B) With respect to each child on the wait list—

“(i) the age of the child;

“(ii) the number of days the child has been on the wait list;

“(iii) the position of the child on the wait list;

“(iv) any special needs consideration; and

“(v) information on whether a sibling of the child is on the wait list of, or currently enrolled in, the Coast Guard child development center concerned.

“(3) REQUIREMENT TO ARCHIVE.—Information placed in the record of a Coast Guard child development center under paragraph (1) shall be archived for a period of not less than 10 years after the date of its placement in the record.”

[For definitions of “Coast Guard child development center” and “qualified family” used in section 8232 of Pub. L. 116-283, set out above, see section 8239 of Pub. L. 116-283, set out as a note below.]

STUDY AND SURVEY ON COAST GUARD CHILD CARE NEEDS

Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8233, Jan. 1, 2021, 134 Stat. 4662, provided that:

“(a) STUDY.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act [Jan. 1, 2021], and for each of the 2 fiscal years thereafter, the Commandant [of the Coast Guard] shall conduct a study on the child care needs of qualified families that incorporates—

“(A) the results of the survey under subsection (b); and

“(B) any other information the Commandant considers appropriate to ensure adequate tracking and future needs-based assessments with respect to adequate access to Coast Guard child development centers.

“(2) CONSULTATION.—In conducting a study under paragraph (1), the Commandant may consult a federally funded research and development center.

“(3) SCOPE OF DATA.—The data obtained through each study under paragraph (1) shall be obtained on a regional basis, including by Coast Guard unit, sector, and district.

“(b) SURVEY.—

“(1) IN GENERAL.—Together with each study under subsection (a), and annually as the Commandant considers appropriate, the Commandant shall carry out a survey of individuals described in paragraph (2) on access to Coast Guard child development centers.

“(2) PARTICIPANTS.—

“(A) IN GENERAL.—The Commandant shall seek the participation in the survey of the following Coast Guard individuals:

“(i) Commanding officers, regardless of whether the commanding officers have children.

“(ii) Regular and reserve personnel.

“(iii) Spouses of individuals described in clauses (i) and (ii).

“(B) SCOPE OF PARTICIPATION.—Individuals described in clauses (i) through (iii) of subparagraph (A) shall be surveyed regardless of whether such individuals use or have access to Coast Guard child development centers or other Federal child care facilities.

“(C) VOLUNTARY PARTICIPATION.—Participation of any individual described in subparagraph (A) in a survey shall be on a voluntary basis.

“(c) AVAILABILITY.—On request, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee

on Transportation and Infrastructure of the House of Representatives the results of any study or survey under this section.”

[For definitions of “Coast Guard child development center” and “qualified family” used in section 8233 of Pub. L. 116-283, set out above, see section 8239 of Pub. L. 116-283, set out as a note below.]

PILOT PROGRAM TO EXPAND ACCESS TO CHILD CARE

Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8234, Jan. 1, 2021, 134 Stat. 4663, provided that:

“(a) IN GENERAL.—Commencing not later than 60 days after the date on which the report under section 8231 [of Pub. L. 116-283, 134 Stat. 4659] is submitted, the Commandant [of the Coast Guard] shall carry out a pilot program, based on the recommendations provided in such report, to expand access to public or private child development centers for qualified families.

“(b) DURATION.—The duration of the pilot program under subsection (a) shall be not more than 3 years beginning on the date on which the pilot program is established.

“(c) DISCHARGE ON DISTRICT BASIS.—The Commandant—

“(1) may carry out the pilot program on a district basis; and

“(2) shall include in the pilot program remote and urban locations.

“(d) RESERVATION OF CHILD CARE SLOTS.—As part of the pilot program, the Commandant shall seek to enter into one or more memoranda of understanding with one or more child development centers to reserve slots for qualified families in locations in which—

“(1) the Coast Guard lacks a Coast Guard child development center; or

“(2) the wait lists for the nearest Coast Guard child development center or Department of Defense child development center, where applicable, indicate that qualified families may not be accommodated.

“(e) ANNUAL ASSESSMENT OF RESULTS.—As part of any study conducted pursuant to section 8233(a) [of Pub. L. 116-283, set out as a note above] after the end of the 1-year period beginning with the commencement of the pilot program, the Commandant shall also undertake a current assessment of the impact of the pilot program on access to child development centers for qualified families. The Commandant shall include the results of any such assessment in the results of the most current study or survey submitted pursuant to section 8233(a).”

[For definitions of “Coast Guard child development center” and “qualified family” used in section 8234 of Pub. L. 116-283, set out above, see section 8239 of Pub. L. 116-283, set out as a note below.]

EXPANDING OPPORTUNITIES FOR FAMILY CHILD CARE

Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8238, Jan. 1, 2021, 134 Stat. 4665, provided that: “Not later than 1 year after the date of the enactment of this Act [Jan. 1, 2021], the Commandant [of the Coast Guard] shall—

“(1) establish a procedure to allow Coast Guard family child care centers to occur at off-base housing, including off-base housing owned or subsidized by the Coast Guard; and

“(2) establish a procedure to ensure that all requirements with respect to such family child care programs are met, including home inspections.”

[For definition of “Coast Guard family child care center” used in section 8238 of Pub. L. 116-283, set out above, see section 8239 of Pub. L. 116-283, set out as a note below.]

USE OF COAST GUARD AND MILITARY CHILD DEVELOPMENT CENTERS

Pub. L. 108-293, title II, § 225, Aug. 9, 2004, 118 Stat. 1040, provided that: “The Secretary of Defense and the Secretary of the department in which the Coast Guard is operating, when operating other than as a service in

the Navy, may agree to provide child care services to members of the armed forces, with reimbursement, in Coast Guard and military child development centers supported in whole or in part with appropriated funds. For purposes of military child development centers operated under the authority of subchapter II of chapter 88 of title 10, United States Code, the child of a member of the Coast Guard shall be considered the same as the child of a member of any of the other armed forces.”

DEFINITIONS

Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8239, Jan. 1, 2021, 134 Stat. 4665, provided that: “In this subtitle [subtitle C (§§8231-8239) of title LVXXXII [LXXXII] of div. G of Pub. L. 116-283, enacting section 2926 of this title, amending this section and section 2923 of this title, and enacting provisions set out as notes above]:

“(1) COAST GUARD CHILD DEVELOPMENT CENTER.—The term ‘Coast Guard child development center’ has the meaning given that term in section 2921(3) of title 14, United States Code.

“(2) COAST GUARD FAMILY CHILD CARE CENTER.—The term ‘Coast Guard family child care center’ means a location at which family home daycare is provided.

“(3) FAMILY CHILD CARE PROVIDER.—The term ‘family child care provider’ means an individual who provides family home daycare.

“(4) FAMILY HOME DAYCARE.—The term ‘family home daycare’ has the meaning given that term in section 2921(5) of title 14, United States Code.

“(5) QUALIFIED FAMILY.—The term ‘qualified family’ means any regular, reserve, or retired member of the Coast Guard, and any civilian employee of the Coast Guard, with one or more dependents.”

§ 2923. Child development center standards and inspections

(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center.

(b) INSPECTIONS.—

(1) IN GENERAL.—Not less than twice annually, the Commandant shall ensure that each Coast Guard child development center is subject to an unannounced inspection.

(2) RESPONSIBILITY FOR INSPECTIONS.—Of the biannual inspections under paragraph (1)—

(A) 1 shall be carried out by a representative of the Coast Guard installation served by the Coast Guard child development center concerned; and

(B) 1 shall be carried out by a representative of the Coast Guard child development services work-life programs.

(c) NATIONAL REPORTING.—

(1) IN GENERAL.—The Commandant shall maintain and publicize a means by which an individual can report, with respect to a Coast Guard child development center or a family home daycare—

(A) any suspected violation of—

(i) standards established under subsection (a); or

(ii) any other applicable law or standard;

(B) suspected child abuse or neglect; or

(C) any other deficiency.

(2) ANONYMOUS REPORTING.—The Commandant shall ensure that an individual making a report pursuant to paragraph (1) may do

so anonymously if so desired by the individual.

(3) PROCEDURES.—The Commandant shall establish procedures for investigating reports made pursuant to paragraph (1).

(Added Pub. L. 113-281, title II, §214(a), Dec. 18, 2014, 128 Stat. 3031, §553; renumbered §2923, Pub. L. 115-282, title I, §117(b), Dec. 4, 2018, 132 Stat. 4230; amended Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8237(a), Jan. 1, 2021, 134 Stat. 4664.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b). Pub. L. 116-283 added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The Commandant shall provide for regular and unannounced inspections of each Coast Guard child development center to ensure compliance with this section.”

2018—Pub. L. 115-282 renumbered section 553 of this title as this section.

§ 2924. Child development center employees

(a) TRAINING.—

(1) IN GENERAL.—The Commandant shall establish a training program for Coast Guard child development center employees and satisfactory completion of the training program shall be a condition of employment for each employee of a Coast Guard child development center.

(2) TIMING FOR NEW HIRES.—The Commandant shall require each employee of a Coast Guard child development center to complete the training program established under paragraph (1) not later than 6 months after the date on which the employee is hired.

(3) MINIMUM REQUIREMENTS.—The training program established under paragraph (1) shall include, at a minimum, instruction with respect to—

(A) early childhood development;

(B) activities and disciplinary techniques appropriate to children of different ages;

(C) child abuse and neglect prevention and detection; and

(D) cardiopulmonary resuscitation and other emergency medical procedures.

(4) USE OF DEPARTMENT OF DEFENSE PROGRAMS.—The Commandant may use Department of Defense training programs, on a reimbursable or nonreimbursable basis, for purposes of this subsection.

(b) TRAINING AND CURRICULUM SPECIALISTS.—

(1) SPECIALIST REQUIRED.—The Commandant shall require that at least 1 employee at each Coast Guard child development center be a specialist in training and curriculum development with appropriate credentials and experience.

(2) DUTIES.—The duties of the specialist described in paragraph (1) shall include—

(A) special teaching activities;

(B) daily oversight and instruction of other child care employees;

(C) daily assistance in the preparation of lesson plans;

(D) assisting with child abuse and neglect prevention and detection; and